GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA

UNSTARRED QUESTION NO:2020
ANSWERED ON:28.11.2016
Labour Trafficking
Panda Shri Baijayant "Jay"

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

(a)whether the Government is implementing/proposes to enforce/ implement stricter laws to check labour trafficking, both within and outside the Country;
(b)if so, the details thereof; along with the extent of success achieved therefrom;
(c)whether there is a punitive and incentive based legal obligation placed upon corporations to ensure that their labour supplies are not sourced through labour trafficking;
(d)if so, the details thereof; and
(e)if not, the reasons therefor?

Answer

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT
(SHRI BANDARU DATTATREYA)

(a) to (e): The Constitution of India vide Article 23 prohibits traffic in human beings and forced labour. The bonded labour is also a form of forced labour for which there is a specific legislation viz. The Bonded Labour System (Abolition) Act, 1976.

Bonded Labour System has been abolished by law throughout the country with effect from 25th October, 1975 under the Bonded Labour System (Abolition) Ordinance which was replaced by The Bonded Labour System (Abolition) Act, 1976.

Under The Bonded Labour System (Abolition) Act, 1976, States/Union Territories are mandated to implement the provisions of the Act. The District and Sub-Divisional Magistrates and the Vigilance Committees constituted under the Act have been entrusted with certain duties/responsibilities for implementation of the Act.
Contd..2/-

Under the Bonded Labour System (Abolition) Act, 1976 identification, release and rehabilitation of freed bonded labour is the direct responsibility of the concerned state government/union territory.

In order to assist the State Governments in the task of rehabilitation of identified and released bonded labourers, a Centrally Sponsored Plan Scheme for Rehabilitation of Bonded Labour was in operation since May, 1978. The Government has revamped the Centrally Sponsored Plan Scheme for Rehabilitation of Bonded Labourers with effect from 17th May, 2016. The revamped scheme is known as the 'Central Sector Scheme for Rehabilitation of Bonded Labourers, 2016'. The salient features of the Scheme are as under:

(1) The revised scheme is a Central Sector Scheme. The State Government is not required to pay any matching contribution for the purpose of cash rehabilitation assistance.
(2) Financial assistance has been increased from Rs. 20,000/- to one lakh per adult male beneficiary, Rs. 2 lakh for special category beneficiaries such as children including orphans or those rescued from organized & forced begging rings or other forms of forced child labour, and women and Rs. 3 lakh in cases of bonded or forced labour involving extreme cases of deprivation or marginalization such as trans-genders, or woman or children rescued from ostensible sexual exploitation such as brothels, massage parlours, placement agencies etc., or trafficking, or in cases of differently abled persons, or in situations where the District Magistrate deems fit.
(3) The amount of assistance for survey of bonded labourers is Rs. 4.50 lakh per district.
(4) The release of rehabilitation assistance has been linked with conviction of the accused.
(5) Scheme provides for creation of a Bonded Labour Rehabilitation Fund at District level by each State with a permanent corpus of at least Rs. 10 lakh at the disposal of the District Magistrate for extending immediate help to the released bonded labourers.

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(6) The fund is released by the Ministry under the Scheme to the District National Child Labour Project Society and the District Project Society in turn releases the fund to the implementing agencies including the district administration.
(7) Special care is made available by the State for addressing the needs of the disabled persons, female freed bonded labourers and bonded child labour by providing safe and secure environment for the capacity building of child bonded labourers, facilities for ensuring their proper education, short stay home till education upto class 12th, skill development, marriage assistance etc.
(8) The benefits prescribed above shall be, in addition to, other cash or non-cash benefits which a beneficiary under this scheme is

entitled to, by or under any other scheme or law applicable for the time being in force. Further, the above benefits would be additionality to other land and housing elements etc. as mentioned below:
â€¢ Allotment of house-site and agricultural land.
â€¢ Land development.
â€¢ Provision of low cost dwelling units.
â€¢ Animal husbandry, dairy, poultry, piggery etc.
â€¢ Wage employment, enforcement of minimum wages etc.
â€¢ Collection and processing of minor forest products.
â€¢ Supply of essential commodities under targeted public distribution system.
â€¢ Education for children.
Apart from the above law, there are other measures for checking trafficking of labour. Criminal Law (Amendment) Act 2013 has come into force which provides for comprehensive measures to counter the menace of human trafficking including trafficking of children for exploitation in any form including physical exploitation or any form of sexual exploitation, slavery, servitude etc.

Further, Anti Trafficking Cell (ATC) was set up in Ministry of Home Affairs to act as a focal point for communicating various decisions and follow up on action taken by the State Governments to combat the crime of Human Trafficking.
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